

**STRICKEN PURSUANT TO THE  
#5977 ORDER ENTERED ON  
6/6/2018.**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: ETHICON, INC.  
PELVIC SUPPORT SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL 2327

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THIS DOCUMENT RELATES TO THE  
CASES IN EXHIBIT A ATTACHED HERETO

**INACTIVE DOCKET ORDER**

The Court has been advised by counsel that in the case listed on the attached Exhibit A, the plaintiffs and Boston Scientific Corporation<sup>1</sup> ("BSC") have agreed to a settlement model with regard to BSC. The Court, therefore, finds it unnecessary to conduct further proceedings or to keep the case on the active docket. Accordingly, the Court **ORDERS** as follows:

1. All discovery deadlines are continued until further order of the Court.
2. That the Clerk retire the case listed on the attached Exhibit A from the active docket.
3. Plaintiffs and BSC may submit an agreed order of dismissal with prejudice on or before August 31, 2018, if settlements are not finalized and dismissal orders are not submitted on or before August 31, 2018, then the Court will have a hearing to determine the appropriate action pertaining to any remaining case on the inactive docket.

Counsel for plaintiffs and defendant(s) are directed to provide quarterly reports as to their progress in dismissing the case on the inactive docket. The Court is aware that counsel have agreed to a settlement model for a group of cases and claims, including the case on Exhibit A. The Court

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<sup>1</sup> Boston Scientific Corporation includes any incorrect or incomplete spellings of this Defendant, including Boston Scientific Corp.

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will reinstate any case on the attached Exhibit A to the active docket if one of the parties, on motion, shows good cause for such reinstatement. Good cause includes, but is not limited to, a plaintiffs' refusal or inability to consummate settlement. Such motion must be accompanied by an affidavit from plaintiffs explaining such refusal or inability.

The Court **DIRECTS** the Clerk to file a copy of this order in MDL No. 2327 and in the individual case listed on the attached Exhibit A. The Clerk further **DIRECTED** to link this Order to the Proposed Inactive Docket Order filed at ECF No. \_\_\_\_\_, and send a copy of this Order to counsel of record and any represented party. The Clerk is further **DIRECTED** to send a copy of this Order to counsel of record and any unrepresented party.

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JOSEPH R. GOODWIN  
UNITED STATES DISTRICT COURT

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**EXHIBIT A**

CLARK LOVE & HUTSON

<b>CIVIL ACTION NUMBER</b>	<b>CASE NAME</b>
15-cv-08138	MERCER, Linda I. and Raymond K. Mercer vs. Ethicon, Inc., Johnson & Johnson, Boston Scientific Corporation